

In the
United States District Court
For the
Western District of Wisconsin

Estate of Thomas Smith, by
Shannon Bryfczynski,
Special Administrator,

Plaintiff,
v.
Case No. 19-cv-972

Oneida County, the Town of Minocqua,
Gary Loduha and Stetson Grant,

Defendants.

**PLAINTIFFS' DISCLOSURES
PURSUANT TO RULE 26 (a)(2)(A) and (C), FED. R. CIV. PRO.
OF EXPERT WITNESSES
WHO MAY BE CALLED IN THE DAMAGES PHASE OF THE TRIAL**

The Plaintiff, by its attorneys, William Laman Law Office, by William F. Laman, and The Jeff Scott Olson Law Firm, S.C., by Attorney Jeff Scott Olson, hereby make the following initial disclosures as required by Fed. R. Civ. Pro., Rule 26(a)(2)(A) and (C)¹:

¹ Rule 26(a)(2)(A) and (C) of the Federal rules of Civil Procedure provide:

(A) In General. In addition to the disclosures required by Rule 26(a)(1), a party must disclose to the other parties the identity of any witness it may use at trial to present evidence under Federal Rule of Evidence 702, 703, or 705.

- A. The name and, if known, the address and telephone number of each individual likely to have discoverable information the disclosing party may use to support his claims or defenses, unless solely for the purposes of impeachment, identifying the Facts and Opinions:

Witness: P. Douglas Kelley. M.D., Medical Examiner

Contact Information: Fond du Lac County Medical Examiner
134 Western Avenue
Fond du Lac, WI 54935

Facts and Opinions: Dr. Kelly made a determination of the cause of Thomas Smith's death and of the condition of his body after death.

Witness: One or more of the Rhinelander Fire Department EMS crew that responded to the scene, and Probationary Firefighter Feaker who helped with carrying Thomas Smith from the police armored vehicle to the EMS ambulance. The EMS Crew consisted of Brett Buchmann, Michael Wesle, and Gregory Plautz.

Contact Information: 128 W Frederick St.

(C) Witnesses Who Do Not Provide a Written Report. Unless otherwise stipulated or ordered by the court, if the witness is not required to provide a written report, this disclosure must state:

- (i) the subject matter on which the witness is expected to present evidence under Federal Rule of Evidence 702, 703, or 705; and
- (ii) a summary of the facts and opinions to which the witness is expected to testify.

Rhinelander, WI 54501
Phone: (715) 365-5400

Facts and Opinions: **Observations and recollections of the initial care of Thomas Smith at the scene of his seizure and his transportation to the hospital.**

Witness: **Officer Christie Knodzela**

Contact Information: **Rhinelander Police Department**
201 N. Brown St.
Rhinelander, WI 54501
Phone: (715) 365-5300

Facts and Opinions: **Observations and recollections of escorting Thomas Smith to the hospital from the scene of his arrest.**

Witness: **Trung Tran, DO**
Richard Mickevicius, MD
Steven R. Brooks, MD
Diane Tatrow, NP, ACHPN

Contact Information: **Ministry Saint Mary's Hospital**
2251 N. Shore Dr.
Rhinelander, WI 54501
Phone: (715) 361-2000

Facts and Opinions: **All participated in Thomas Smith's care in the hospital after his seizure and will testify as to their observations and recollections of that. In addition, Dr. Brooks was his primary care physician, and so can testify as to Thomas Smith's prognosis before**

his arrest, which was that he would live at least several more months.

Witness: **Suzanne L. Ward, RN, MS, LNCC, CCHP, CCM**

Contact Information: **Post Office Box 577
N3798 County Hwy. F
Montello, Wisconsin 53949-0577
Phone: (608) 697-0206
e-mail: SWardLNC@aol.com or miggsie2@aol.com**

Facts and Opinions: **may be called to translate medical records for jury**

Dated this Friday, November 13, 2020.

Respectfully submitted,

Estate of Thomas Smith,

Plaintiff

By

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/s/ Jeff Scott Olson

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ATTORNEYS FOR PLAINTIFF